

FILED MAR 11 1999

By Robert A. Puente

H B. No. 2987

A BILL TO BE ENTITLED

AN ACT

relating to modification of district lines for the election of directors for the Edwards Aquifer Authority.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 1, Chapter 626, Acts of the 73rd Legislature, Regular Session, 1993 (Article 8280-219, Vernon's Texas Civil Statutes), is amended by adding Section 1.094 to read as follows:

Sec. 1.094. MODIFICATION OF DISTRICT LINES AFTER DECENNIAL CENSUS. (a) After each federal decennial census, the board may modify, as needed, the district lines described in Section 1.093. During March or April of an even-numbered year, the board by order may modify the district lines described in Section 1.093 to provide that the lines do not divide a county election precinct except as necessary to follow the authority's jurisdictional boundaries.

(b) Modifications under this section may not result in:

(1) the dilution of voting strength of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), as amended;

(2) a dilution of representation of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), as amended; or

(3) discouraging participation by a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), as

1 amended.

2 (c) A county election precinct established by a county in
3 accordance with Chapter 42, Election Code, may not contain
4 territory from more than one authority district.

5 SECTION 2. The importance of this legislation and the
6 crowded condition of the calendars in both houses create an
7 emergency and an imperative public necessity that the
8 constitutional rule requiring bills to be read on three several
9 days in each house be suspended, and this rule is hereby suspended,
10 and that this Act take effect and be in force from and after its
11 passage, and it is so enacted.

HOUSE COMMITTEE REPORT

1st Printing

By Puente, King of Uvalde

H.B. No. 2987

Substitute the following for H.B. No. 2987:

By Counts

C.S.H.B. No. 2987

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(b) Modifications under this section may not result in:

(1) the dilution of voting strength of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), as amended;

(2) a dilution of representation of a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), as amended;

(3) discouraging participation by a group covered by the federal Voting Rights Act (42 U.S.C. Section 1973c et seq.), as

1 amended; or

2 (4) increasing or decreasing the number of districts
3 in any county.

4 (c) A county election precinct established by a county in
5 accordance with Chapter 42, Election Code, may not contain
6 territory from more than one authority district.

7 SECTION 2. The importance of this legislation and the
8 crowded condition of the calendars in both houses create an
9 emergency and an imperative public necessity that the
10 constitutional rule requiring bills to be read on three several
11 days in each house be suspended, and this rule is hereby suspended,
12 and that this Act take effect and be in force from and after its
13 passage, and it is so enacted.

COMMITTEE REPORT

4/14/99
(date)

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

Sir:
We, your COMMITTEE ON NATURAL RESOURCES
to whom was referred HB 2987 have had the same under consideration and beg to report
back with the recommendation that it

- () do pass, without amendment.
- () do pass, with amendment(s).
- (x) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- (x) yes () no A fiscal note was requested.
- () yes (x) no A criminal justice policy impact statement was requested.
- () yes (x) no An equalized educational funding impact statement was requested.
- () yes (x) no An actuarial analysis was requested.
- () yes (x) no A water development policy impact statement was requested.
- () yes (x) no A tax equity note was requested.
- (x) The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Counts, Chair	✓			
King, T., Vice-chair	✓			
Cook	✓			
Corte	✓			
Hamric				✓
Lewis, R.	✓			
Puente	✓			
Shields	✓			
Walker	✓			

Total 8 aye
 0 nay
 0 present, not voting
 1 absent

David Buntz
CHAIR

BILL ANALYSIS

Office of House Bill Analysis

C.S.H.B. 2987
By: Puente
Natural Resources
4/15/1999
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current law provides that the Edwards Aquifer Authority (authority) consists of single-member voting districts with district lines based on census blocks. The existing district lines divide county voting precincts in seven of the authority's eight counties, resulting in the possible confusion of voters and election officials. C.S.H.B. 2987 prohibits a county election precinct from containing territory from more than one authority district, and authorizes the authority's board of directors to modify district lines accordingly.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 8280-219, V.T.C.S., by adding Section 1.094, as follows:

Sec. 1.094. MODIFICATION OF DISTRICT LINES AFTER DECENNIAL CENSUS. Authorizes the Edwards Aquifer Authority board of directors (board) to modify the district lines described in Section 1.093, after each federal decennial census, or as needed. Authorizes the board, during March or April of an even-numbered year, by order, to modify the district lines described in Section 1.093, to provide that the lines do not divide a county election precinct except as necessary to follow the Edwards Aquifer Authority's (authority) jurisdictional boundaries. Prohibits modifications under this section from violating the Federal Voting Rights Act or increasing or decreasing the number of districts in any county. Prohibits a county election precinct established by a county in accordance with Chapter 42 (Election Precinct), Election Code, from containing territory from more than one authority district.

SECTION 2. Emergency clause.
Effective date: upon passage.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in SECTION 1 (proposed Section 1.094, Article 8280-219, V.T.C.S.) by authorizing the Edwards Aquifer Authority board of directors to modify the district lines described in Section 1.093, as needed, in addition to after each federal decennial census. The substitute also differs by prohibiting modifications under this proposed section from increasing or decreasing the number of districts in any county.

SUMMARY OF COMMITTEE ACTION

HB 2987

April 14, 1999 2:00PM or upon adjournment

Considered in public hearing

Recommended to be sent to Local & Consent

Reported favorably without amendment(s)

Vote reconsidered in committee

Committee substitute considered in committee

Recommended to be sent to Local & Consent

Reported favorably as substituted

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 16, 1999

TO: Honorable David Counts, Chair, House Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB 2987** by Puente (relating to modification of district lines for the election of directors for the Edwards Aquifer Authority), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 582 Natural Resource Conservation Commission, 307 Secretary of State,
580 Water Development Board

LBB Staff: JK, DE

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

April 2, 1999

TO: Honorable David Counts, Chair, House Committee on Natural Resources

FROM: John Keel, Director, Legislative Budget Board

IN RE: **HB 2987** by Puente (Relating to modification of district lines for the election of directors for the Edwards Aquifer Authority.), **As Introduced**

No fiscal implication to the State is anticipated. Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies: 582 Natural Resource Conservation Commission, 307 Secretary of State,
580 Water Development Board

LBB Staff: JK, DE

JOINT AUTHOR AUTHORIZATION

As primary author of HB 2987 I hereby authorize the following joint author(s):
(bill or resolution #)

Tracy King
printed name of joint author #1

Mary O. King
signature of joint author #1

printed name of joint author #2

signature of joint author #2

printed name of joint author #3

signature of joint author #3

printed name of joint author #4

signature of joint author #4

Robert Paente
signature of primary author

3/12/99
date

ORIGINAL FORM--Place in book

SEND COPIES TO:
Debbie Irvine (Legislative Council)
Legislative Reference Library
House Journal

H.B. No. 2987

By

Robert A. Priebe

A BILL TO BE ENTITLED
AN ACT

Relating to modification of district lines for the election of directors for the Edwards Aquifer Authority.

MAR 11 1999

Filed with the Chief Clerk

MAR 15 1999

Read first time and referred to Committee on

Natural Resources

APR 14 1999

Reported favorably (~~as amended~~)
(as substituted)

APR 22 1999

Sent to Committee on (~~Calendars~~)
(Local & Consent Calendars)

APR 30 1999

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

APR 30 1999

Motion to postpone further consideration
of HB No. 2987 until Wednesday
MAY 5th, 1999 at 10:00 A
prevailed by a non-record vote.

MAY 05 1999

HB 2987 LAID ON TABLE
SUBJECT TO CALL

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by (a viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)